

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEMAR RHOME,

Case No. 09-cv-00085-RSL-JPD

Petitioner,

ORDER GRANTING STIPULATED
MOTION FOR EXTENSION OF TIME
TO FILE ANSWER TO PETITION FOR
WRIT OF HABEAS CORPUS

RON FRAKER,

Respondent.

This matter comes before the Court on the parties' stipulated motion for extension of time for Respondent to file an answer to Petitioner's § 2254 petition for writ of habeas corpus. Dkt. No. 26.

On January 21, 2009, Petitioner filed his § 2254 petition, which challenges his March 2006 conviction for first degree murder in King County Superior Court. Dkt. No. 1. On February 3, 2009, this Court entered an order directing service and answer. Dkt. No. 12. On February 9, 2009 this Court entered an order referring the case to the Office of the Federal Public Defender for review. Dkt. No. 14. On March 5, 2009, the Federal Public Defender filed its notice of intent to seek appointment of counsel, Dkt. No. 23, and motion to appoint counsel, Dkt. No. 24. On March 6, 2009, this Court entered an

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1 order granting the motion and appointing the Federal Public Defender to represent
2 Petitioner. Dkt. No. 25.

3 Counsel for the parties have since communicated and counsel for Respondent
4 has advised that he needs additional time to obtain and review the voluminous state
5 court record regarding Petitioner before filing Respondent's answer. In addition,
6 counsel for Petitioner has advised that he needs additional time to review the state court
7 record and to likely file an amended § 2254 petition. Once an amended petition is filed,
8 Respondent could then answer the amended petition, rather than filing both an answer and an
9 amended answer.

10 Accordingly, the parties' stipulated motion for extension of time for Respondent to file
11 an answer to Petitioner's § 2254 petition for writ of habeas corpus, Dkt. No. 26, is GRANTED.
12 Respondent shall have until June 22, 2009 to file an answer to Petitioner's § 2254 petition
13 and/or amended § 2254 petition.

14 DATED this 24th day of March, 2009.

15 
16 JAMES P. DONOHUE
17 United States Magistrate Judge

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